

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re:

**Colleen Anne Van Epps and
Richard Alan Van Epps**

Debtors.

Chapter 7

Notice of Motion to Avoid Liens
Bk. No: 2-17-21044-PRW

NOTICE OF MOTION TO AVOID LIENS

PLEASE TAKE NOTICE OF THE FOLLOWING MOTION BY DEBTOR:

TIME: November 12, 2020 at 10:00 A.M
Or as soon thereafter as Counsel may be heard

PLACE: **United States Bankruptcy Court, U.S. Courthouse**
100 State Street, Rochester, NY 14614

RELIEF SOUGHT: An Order avoiding judgment liens

PAPERS SUBMITTED: (1) Notice of Motion, (2) Motion, (3) Exhibits A-D, (4) Proposed Order

PURSUANT TO FRBP 9014 AND THE STANDING ORDERS IMPLEMENTING DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN; IF YOU INTEND TO OPPOSE THE MOTION, AT A MINIMUM, YOU MUST SERVE; (1) THE MOVANT AND MOVANT'S COUNSEL, AND (2) IF NOT THE MOVING PARTY (A) THE DEBTOR AND DEBTOR'S COUNSEL; (B) IN A CHAPTER 11 CASE, THE CREDITORS' COMMITTEE AND ITS ATTORNEY, OR IF THERE IS NO COMMITTEE, THE 20 LARGEST CREDITORS; AND (C) ANY TRUSTEE. IN ADDITION, YOU MUST FILE WITH THE CLERK OF THE BANKRUPTCY COURT WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THE MOTION NOTWITHSTANDING THE DECEMBER 1, 2009 AMENDMENTS TO FRI3P 9006(a). IN THE EVENT THAT NO WRITTEN OPPOSITION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDER THE MOTION UNOPPOSED.

Dated: October 26, 2020

/s/ Michael A. Furlano

Michael A. Furlano, Esq.

LEGAL AID SOCIETY OF ROCHESTER, NY

Debtor's Attorney

One West Main Street, Suite 800

One West Main Street
Rochester NY 14614

Rochester NY
(585) 295-5763

TO: 1. Lucien A. Morin, II 2. Kathleen D. Schmitt 3. Creditors as per
Chapter 7 Trustee *United States Trustee* attached list
100 State Street, Room 6090
Rochester, NY 14614

Interested Creditors

1. Richard D. Fairbank
CEO and President
Capital One Bank (USA) N.A.
1680 Capital One Drive
McLean, VA 22101-3491
2. Rubin and Rothman, LLC
Attorney for Creditor Capital One Bank (USA) N.A.
1787 Veterans Highway
Islandia, N.Y. 11749
3. Seterus Inc.
14523 SW Millikan Way
PO Box 1077
Hartford, CT
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